
HOUSE BILL No. 1170

DIGEST OF INTRODUCED BILL

Citations Affected: IC 9-13-2-114.6; IC 9-17-2; IC 14-16-1-9.5.

Synopsis: Certificates of title. Requires a person to acquire a certificate of title for an off-road vehicle, motor scooter, or motorized bicycle that will be operated within the state. Provides that this requirement does not apply to off-road vehicles, motor scooters, or motorized bicycles purchased before July 1, 2002, by an Indiana resident.

Effective: July 1, 2002.

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January 9, 2002, read first time and referred to Committee on Roads and Transportation.

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Second Regular Session 112th General Assembly (2002)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2001 General Assembly.

HOUSE BILL No. 1170

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 9-13-2-114.6 IS ADDED TO THE INDIANA
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2002]: **Sec. 114.6. "Off-road vehicle" has the**
4 **meaning set forth in IC 14-16-1-3.**

5 SECTION 2. IC 9-17-2-1, AS AMENDED BY P.L.181-1999,
6 SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
7 JULY 1, 2002]: Sec. 1. (a) Within sixty (60) days of becoming a
8 Indiana resident, a person must obtain a certificate of title for all
9 vehicles owned by the person that:

- 10 (1) are subject to the motor vehicle excise tax under IC 6-6-5;
11 (2) **are off-road vehicles and were purchased by the person**
12 **after June 30, 2002, or have a certificate of title from another**
13 **state;**
14 (3) **are motor scooters and were purchased by the person after**
15 **June 30, 2002, or have a certificate of title from another state;**
16 **or**
17 (4) **are motorized bicycles and were purchased by the person**



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1 **after June 30, 2002, or have a certificate of title from another**
 2 **state;**

3 and will be operated in Indiana.

4 (b) Within sixty (60) days after becoming an Indiana resident, a
 5 person shall obtain a certificate of title for all commercial vehicles
 6 owned by the person that:

7 (1) are subject to the commercial vehicle excise tax under
 8 IC 6-6-5.5;

9 (2) are not subject to proportional registration under the
 10 International Registration Plan; and

11 (3) will be operated in Indiana.

12 (c) A person must produce evidence concerning the date on which
 13 the person became an Indiana resident.

14 SECTION 3. IC 9-17-2-5 IS AMENDED TO READ AS FOLLOWS
 15 [EFFECTIVE JULY 1, 2002]: Sec. 5. If an application for a certificate
 16 of title is for a vehicle brought into Indiana from another state, the
 17 application must be accompanied by:

18 (1) the certificate of title issued for the vehicle by the other state
 19 if the other state has a certificate of title law; ~~or~~

20 (2) a sworn bill of sale or dealer's invoice fully describing the
 21 vehicle and the most recent registration receipt issued for the
 22 vehicle if the other state does not have a certificate of title law; **or**

23 **(3) any other information that the bureau requires, if the**
 24 **other state does not have a certificate of title and registration**
 25 **law.**

26 SECTION 4. IC 9-17-2-6 IS AMENDED TO READ AS FOLLOWS
 27 [EFFECTIVE JULY 1, 2002]: Sec. 6. (a) **This section does not apply**
 28 **to a motor vehicle requiring a title under section 1(a)(2), 1(a)(3), or**
 29 **1(a)(4) of this chapter.**

30 (b) A certificate of title issued for a vehicle that is required to be
 31 registered under this title at a declared gross weight of sixteen thousand
 32 (16,000) pounds or less must contain the odometer reading of the
 33 vehicle in miles or kilometers as of the date of sale or transfer of the
 34 vehicle.

35 ~~(b)~~ (c) A person may not knowingly furnish to the bureau odometer
 36 information that does not accurately indicate the total recorded miles
 37 or kilometers on the vehicle.

38 ~~(c)~~ (d) The bureau and its license branches are not subject to a
 39 criminal or civil action by a person for an invalid odometer reading on
 40 a certificate of title.

41 SECTION 5. IC 9-17-2-9 IS AMENDED TO READ AS FOLLOWS
 42 [EFFECTIVE JULY 1, 2002]: Sec. 9. (a) **This section does not apply**



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1 **to a motor vehicle requiring a title under section 1(a)(2), 1(a)(3), or**
 2 **1(a)(4) of this chapter.**

3 (b) A person applying for a certificate of title must:

- 4 (1) apply for registration of the vehicle described in the
 5 application for the certificate of title; or
 6 (2) transfer the current registration of the vehicle owned or
 7 previously owned by the person.

8 SECTION 6. IC 9-17-2-12 IS AMENDED TO READ AS
 9 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 12. (a) As used in this
 10 section, "dealer" refers to a dealer that has:

- 11 (1) been in business for not less than five (5) years; and
 12 (2) sold not less than one hundred fifty (150) motor vehicles
 13 during the preceding year.

14 (b) This section does not apply to the following:

- 15 (1) A new motor vehicle or recreational vehicle sold by a dealer
 16 licensed by the state.
 17 (2) A motor vehicle or recreational vehicle transferred or assigned
 18 on a certificate of title issued by the bureau.
 19 (3) A motor vehicle that is registered under the International
 20 Registration Plan.

21 **(4) A motor vehicle requiring a title under section 1(a)(2),**
 22 **1(a)(3), or 1(a)(4) of this chapter.**

23 (c) An application for a certificate of title for a motor vehicle or
 24 recreational vehicle may not be accepted by the bureau unless the
 25 motor vehicle or recreational vehicle has been inspected by one (1) of
 26 the following:

- 27 (1) An employee of a dealer designated by the bureau to perform
 28 an inspection.
 29 (2) A military policeman assigned to a military post in Indiana.
 30 (3) A police officer.
 31 (4) A designated employee of the bureau.

32 (d) A person described in subsection (c) inspecting a motor vehicle,
 33 semitrailer, or recreational vehicle shall do the following:

- 34 (1) Make a record of inspection upon the application form
 35 prepared by the bureau.
 36 (2) Verify the facts set out in the application.

37 SECTION 7. IC 9-17-2-13 IS AMENDED TO READ AS
 38 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 13. (a) **This subsection**
 39 **does not apply to an off-road vehicle required to be registered**
 40 **under IC 14-16-1-8.** Except as provided in subsection (b), a person
 41 may not operate or permit to be operated upon the highways a motor
 42 vehicle, semitrailer, or recreational vehicle under an Indiana

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1 registration number unless a certificate of title has been issued under
2 this chapter for the motor vehicle, semitrailer, or recreational vehicle.

3 (b) A person may operate a motor vehicle, semitrailer, or
4 recreational vehicle upon highways without an Indiana certificate of
5 title if the motor vehicle, semitrailer, or recreational vehicle:

6 (1) is:

7 (A) fully titled and registered in another state; and

8 (B) operating under an Indiana trip permit or temporary
9 registration; or

10 (2) is registered under apportioned registration of the
11 International Registration Plan and based in a state other than
12 Indiana.

13 (c) A person who owns a motor vehicle, semitrailer, or recreational
14 vehicle may declare Indiana as the person's base without obtaining an
15 Indiana certificate of title if:

16 (1) the person's state of residence is not a member of the
17 International Registration Plan; and

18 (2) the person presents satisfactory proof of ownership from the
19 resident state.

20 (d) **This subsection does not apply to a motor scooter, a**
21 **motorized bicycle, or an off-road vehicle purchased before July 1,**
22 **2002. A person may not operate or permit to be operated upon the**
23 **highways:**

24 (1) a motor scooter;

25 (2) a motorized bicycle; or

26 (3) an off-road vehicle;

27 **unless a certificate of title has been issued under this chapter for**
28 **the motor scooter, motorized bicycle, or off-road vehicle, or unless**
29 **the motor scooter, motorized bicycle, or off-road vehicle is titled in**
30 **another state.**

31 SECTION 8. IC 9-17-2-17 IS ADDED TO THE INDIANA CODE
32 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
33 1, 2002]: **Sec. 17. A title issued under this chapter does not relieve**
34 **an owner of an off-road vehicle from any registration requirement**
35 **for the off-road vehicle under IC 14-16-1.**

36 SECTION 9. IC 14-16-1-9.5 IS ADDED TO THE INDIANA CODE
37 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
38 1, 2002]: **Sec. 9.5. Registration under this chapter does not relieve**
39 **an owner of an off-road vehicle from any title requirement for the**
40 **off-road vehicle under IC 9-17-2.**

